

111TH CONGRESS
1ST SESSION

H. R. 2033

To apply an alternative payment amount under the Medicare Program for certain graduate medical education programs established to train residents displaced by natural disasters.

IN THE HOUSE OF REPRESENTATIVES

APRIL 22, 2009

Mr. CASSIDY (for himself, Mr. ALEXANDER, Mr. BOUSTANY, Mr. CAO, Mr. FLEMING, Mr. MELANCON, and Mr. SCALISE) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To apply an alternative payment amount under the Medicare Program for certain graduate medical education programs established to train residents displaced by natural disasters.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. ALTERNATIVE PAYMENT AMOUNTS FOR GRAD-**
2 **UATE MEDICAL EDUCATION PROGRAMS ES-**
3 **TABLISHED TO TRAIN RESIDENTS DIS-**
4 **PLACED BY NATURAL DISASTERS.**

5 (a) IN GENERAL.—Notwithstanding any other provi-
6 sion of law, in applying section 1886(h) of the Social Secu-
7 rity Act (42 U.S.C. 1395ww(h)), and any regulations im-
8 plementing such section, with respect to an eligible hos-
9 pital for a cost reporting period beginning on or after July
10 1, 2005, the Secretary of Health and Human Services
11 shall provide for payments for direct graduate education
12 costs in accordance with subsection (c) for such hospital
13 and cost reporting period.

14 (b) ELIGIBLE HOSPITAL DEFINED.—In this section,
15 the term “eligible hospital” means a hospital that—

16 (1) did not have an approved medical residency
17 training program as defined under section
18 1886(h)(5)(A) of the Social Security Act (42 U.S.C.
19 1395ww(h)(5)(A)) before the date of a presidential
20 declaration of major disaster issued under section
21 401 of the Robert T. Stafford Disaster Relief and
22 Emergency Assistance Act;

23 (2) first participated in such a program to edu-
24 cate residents displaced from a graduate medical
25 education program impacted by such disaster; and

1 (3) is located in a wage area, as defined by the
2 Secretary, that is in, or immediately adjacent to, an
3 area for which such disaster was declared.

4 (c) PAYMENT TO ELIGIBLE HOSPITALS.—The pay-
5 ment amount for an eligible hospital for a cost reporting
6 period in which the hospital operates a graduate medical
7 education program referred to in subsection (b)(2) shall
8 be—

9 (1) for the first such cost reporting period, the
10 reasonable costs (as determined based on rules ap-
11 plied in determining reasonable costs under section
12 1886(h)(2)(A) of the Social Security Act (42 U.S.C.
13 1395ww(h)(2)(A))) incurred by the hospital for such
14 program;

15 (2) for the second such cost reporting period,
16 computed based on an alternative FTE resident
17 amount calculated as described in section
18 1886(h)(2)(A) of the Social Security Act (42 U.S.C.
19 1395ww(h)(2)(A)), but using the reasonable costs
20 incurred by the hospital for such program during
21 such second cost reporting period and the number of
22 FTE residents (as described in paragraphs
23 (3)(B)(ii) and (4)(E) of section 1886(h) of the So-
24 cial Security Act (42 U.S.C. 1395ww(h))) in the
25 program for such second cost reporting period; and

1 (3) for the third such cost reporting period and
2 each subsequent cost reporting period, computed
3 based on the alternative FTE resident amount under
4 this section for the previous cost reporting period,
5 updated and adjusted as described in section
6 1886(h)(2)(D) of the Social Security Act (42 U.S.C.
7 1395ww(h)(2)(D)).

○